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Suzanne Colón  
SIGNATURE

Suzanne Colón  
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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Byrd, et al. ) Examiner: Unknown  
Serial No.: Unknown 10/700,264 ) Art Unit: Unknown  
Filed: November 3, 2003 )  
)  
)  
) Attorney Docket: 18525/04052

For: **CRYOGENIC ABNORMALITIES THAT ARE PREDICTIVE OF RESPONSE  
TO THERAPY FOR CHRONIC LYMPHOCYTIC LEUKEMIA**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

Sir:

Transmitted herewith are the following:

1. Information Disclosure Statement;
2. Form PTO-1449 (2 pages);
3. Twelve (12) References; and
4. Return Receipt Postcard.

It is believed that no further fee is required relating to the filing of this Information Disclosure Statement. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: April 5, 2004

By: Diane H. Dobrea

Diane H. Dobrea, Reg. No. 48,578  
216/622-8485



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Signed



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Alexandria, VA 22313-1450

## **INFORMATION DISCLOSURE STATEMENT**

This information disclosure statement is being filed before the mailing of a first Office Action on the merits. Applicants wish to disclose the following information:

## REFERENCES

- The Applicants wish to make of record the references listed on the attached Form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- Listed on the attached PTO form 1449 is information known to persons substantively involved in the preparation of the application identified above, and is not a representation that more pertinent information does not exist.

The identification of any information herein is not intended to be, and should not be understood as being, an admission that such information, in fact, constitutes "prior art" within the meaning of applicable law. The "prior art" status of any information is a matter to be resolved during prosecution.

#### CERTIFICATION

Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.

This information disclosure statement is being filed within three months of the filing of the application and/or prior to a first Office Action on the merits.

#### DEPOSIT ACCOUNT

A check is attached in the amount of \$ \_\_\_\_\_ required under 37 § 1.17(p).

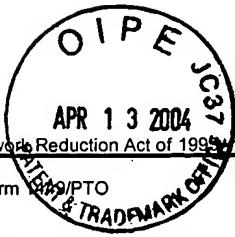
It is not believed that any fee is required relating to the filing of this information disclosure statement. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 03-0172**.

Respectfully submitted,

Date: April 5, 2004

By: 

Diane H. Dobrea, Reg. No. 48,578  
216-622-8485



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Substitute for form 1-49/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**(Use as many sheets as necessary)**

Sheet 1 of 2

**Complete if Known**

Application Number	Unknown
Filing Date	November 3, 2003
First Named Inventor	Byrd, et al.
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	18525/04052

**U. S. PATENT DOCUMENTS**

## FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08B (08-03)

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INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2

of 2

Complete if Known

Application Number Unknown

Filing Date November 3, 2003

First Named Inventor Byrd, et al.

Art Unit Unknown

Examiner Name Unknown

Attorney Docket Number 18525/04052

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	AA	BYRD, ET AL., "Interphase Cytogenetic Abnormalities in Chronic Lymphocytic Leukemia May Predict Response to Rituximab." Cancer Research 63 (January 1, 2003), pp. 36-38.	
	AB	DOHNER, ET AL., "Genomic Aberrations and Survival in Chronic Lymphocytic Leukemia." The New England Journal of Medicine (December 28, 2000) pp. 1910-1916.	
	AC	CHESON, ET AL., "National Cancer Institute - Sponsored Working Group Guidelines for Chronic Lymphocytic Leukemia: Revised Guidelines for Diagnosis and Treatment." Blood,	
		Vol. 87, No. 12 (June 15, 1996) pp. 4990-4997.	
	AD	BYRD, ET AL., "Rituximab Using a Thrice Weekly Dosing Schedule in B-Cell Chronic Lymphocytic Leukemia and Small Lymphocytic Lymphoma Demonstrates Clinical Activity and	
		Acceptable Toxicity." Journal of Clinical Oncology, Vol. 19, No. 8 (April 15, 2001) pp. 2153-2164.	
	AE	KAY, ET AL., "Chronic Lymphocytic Leukemia." Hematology (2002) pp. 193-213.	
	AF	HITT, EMMA., "New Directions in Hematologic Malignancies; An Interview with John C. Byrd, MD." Medscape from WebMD, pp.1-2.	
	AG	LOZANSKI, ET AL., "Alemtuzumab is an Effective Therapy for Chronic Lymphocytic Leukemia with P53 Mutations and Deletions." Abstract, Blood (01/15/04).	

Examiner Signature	Date Considered
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